

# **EXHIBIT 1**

**From:** Louis Alex [mailto:[lalex@cookalex.com](mailto:lalex@cookalex.com)]  
**Sent:** Thu 3/20/2008 10:35 PM  
**To:** Geoff A. Baker; vern@francissenpatentlaw.com; robert@karton.us  
**Cc:** 'Jason Smalley'; 'Edward Manzo'; 'Joel Bock'  
**Subject:** Miyano Machinery USA v. MiyanoHitec

Dear Geoff:

We write to inform you that Messrs. Ito, Ichikawa, and Saito have confirmed their availability for deposition in Osaka, Japan April 14 to 17. These three depositions must be taken on consecutive days during this period. With regard to Mr. Nakagiri, we are advised that after his scheduled retirement, he will be out of the country and therefore will not be available for deposition during this time.

It is our understanding that deposition visas will not be obtainable without a signed order from Judge Kendall. Accordingly, we would appreciate your providing us as soon as possible with a draft stipulated order for our review and comment.

We also wish to inform you that attorneys with the law firms of Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. and Masuda, Funai, Eifert and Mitchell, Ltd. plan to enter appearances on behalf of MMJ in this litigation.

We will be providing you with slight revisions to the currently proposed protective order to allow the law firm of Mori, Hamada, Matsumoto in Japan to receive documents designated by Defendants as confidential or attorneys' eyes only.

Last, what is the status of the documents that the Defendants are endeavoring to produce and we are hoping to receive by March 21. Please advise.

Thanks

Sincerely,

Louis

**Louis J. Alex**  
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*Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.*